

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

KENYON DUNCAN,

Plaintiff,

v.

WALMART STORES EAST LP,  
KEYUR PATEL, JAMES PROVOST,  
ANTHONY ROSS, DOE 1, DOE 2, DOE 3  
and DOE 4

Defendants.

CIVIL ACTION FILE NO.:

[Removed from  
The State Court of  
DeKalb County;  
Civil Action File No.

22A03589]

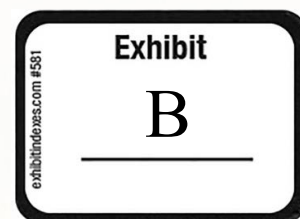
**DECLARATION OF ANTHONY ROSS**

1.

I am over the age of eighteen; and this declaration is based on my personal knowledge.

2.

I have read the Complaint filed in the above captioned legal action and I understand that plaintiff Kenyon Duncan alleges that he slipped and fell on March 13, 2021 while at the Walmart store located at 4725 Ashford Dunwoody Road in Dunwoody, Georgia ("the store").



3.

Upon information and belief, the subject incident actually occurred on June 29, 2021.

4.

On June 29, 2021, I was the Store Manager at the Store.

5.

I did not witness Plaintiff's incident and I was not in the Incident Location where Plaintiff's incident occurred when it occurred.

6.

I have never personally owned or leased the Store. I have only been previously employed as a Walmart manager in the Store performing specific job duties. I have never agreed to accept complete control or custody of the Store.

7.

I have never had legal authority to sign any lease for the premises where the Store operates.

8.

I have never had any individual or personal right of possession to the premises of the Store.

9.

I have never personally employed anyone who has worked on the premises of the Store. I have never been personally responsible for the payment of any wages or salary to anyone employed at the Store.

10.

I did not create the policies, procedures, and training materials used by Walmart as part of its efforts to inspect and maintain the Store in June 2021.

11.

I have never been personally in charge of or personally responsible for performing any repair or maintenance services for the Store.

12.

I have never agreed to assume or in any way undertaken personal liability for the payment of any property taxes, or any other taxes, upon the Store.

13.

I have never assumed or undertaken any liability for or been personally responsible for any business license fees or other governmental fees required for the operation of the Store.

14.

I have never determined the hours of operation for the Store.

15.

I have never agreed to accept any personal legal duty to Plaintiff Duncan.

16.

As of the signing of this declaration, I have not been personally served with Summons or a copy of the Complaint.

17.

I no longer have a place of business at 4725 Ashford Dunwoody Road, Dunwoody, Georgia 30338 and cannot be properly served at this address.

18.

I have never authorized Wal-Mart Stores East, LP or anyone else to accept service on my behalf.

19.

I state, declare and affirm that the foregoing facts set forth in this Declaration are true and correct.

Signed on this 23 day of February, 2023.

  
Anthony Ross